

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

COX NUCLEAR PHARMACY, INC.,)
)
Plaintiff/Counter-Defendant,)
)
vs.)
)
CTI, INC.,)
)
Defendant/Counter-Plaintiff.)

CIVIL ACTION NO. 02-0321-CG-C

FINAL JUDGMENT

In accordance with the summary judgment order entered herein (Doc.186) and the verdict of the jury returned on June 10, 2004, (attachment to Doc. 265) it is

ORDERED, ADJUDGED and DECREED that **JUDGMENT** is entered in favor of defendant CTI, Inc. on all claims brought by the plaintiff Cox Nuclear Pharmacy, Inc., and those claims are hereby **DISMISSED WITH PREJUDICE**.

It is further **ORDERED, ADJUDGED and DECREED** that **JUDGMENT** is entered in favor of the counter-plaintiff, CTI, INC., against the counter-defendant, Cox Nuclear Pharmacy, Inc., as to CTI's breach of contract claim, and CTI is awarded damages for lost profits in the amount of TWO HUNDRED SEVENTY-TWO THOUSAND EIGHTY dollars and 00 (no) cents (\$272,080.00).

The jury found that CTI had not proved damages under the contract theory by a preponderance of the evidence; therefore, CTI's claims for damages under the contract theory are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED, ADJUDGED, and DECREED** that **JUDGMENT** is entered in favor of the counter-plaintiff, CTI, INC., against the counter-defendant, Cox Nuclear Pharmacy, Inc., and pre-judgment interest is awarded in the amount of **FORTY-FOUR THOUSAND FIVE HUNDRED THIRTY-NINE** dollars and **NINETY-FOUR** cents (\$44,539.94).

DONE and ORDERED this 10th day of August, 2005.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE
